

**GOVERNMENT OF INDIA
COMMUNICATIONS
LOK SABHA**

UNSTARRED QUESTION NO:1562
ANSWERED ON:06.03.2000
INCOMING CELLULAR TELEPHONE CALLS
MANIKRAO HODLYA GAVIT

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) whether incoming calls on cellular telephones were to be made free from November 1, 1999 but the same could not be possible due to opposition from the MTNL and the DoT;
- (b) if so, the reasons therefore; and
- (c) the measures taken by the Government in this connection?

Answer

MINISTER OF STATE FOR COMMUNICATIONS (SHRI TAPAN SIKDAR)

(a) & (b):

The incoming calls on cellular telephones were to be made free from November 1, 1999 as per the Regulation dated 17th September, 1999 issued by TRAI for implementation of Calling Party Pay (CPP) Regime. According to this, the PSTN subscriber calling a mobile subscriber had to make much higher payment for such calls. A consumer organization called `Telecom Watch Dog` filed a Public Interest Litigation on 13.10.1999 before the High Court of Delhi inter-alia seeking the quashing of the CPP regime issued by the Telecom Regulatory Authority of India (TRAI), as the consumer of basic services would be adversely affected. DTS and MTNL were not opposed to the implementation of CPP regime. However, the proposed arrangement for revenue sharing between basic service providers and cellular operators was highly detrimental to the revenues of DTS/MTNL and other basic service providers. Aggrieved by the impugned regulation for revenue sharing, MTNL filed a Writ Petition No. 6543 of 1999 in the Hon`ble High Court of Delhi in which Department of Telecom Services also impleaded.

(c) The Division Bench of Hon`ble High Court in their judgement dated 17th January, 2000 have struck down the impugned regulation and implementation of CPP in the present form. TRAI have to re-work the arrangement for the introduction of CPP regime as clarified by the Hon`ble Judges in the Judgement referred above.